## IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

FREDERICK T. RAY, III : CIVIL ACTION

:

v.

MAJOR WALTER REED, et al. : NO. 04-cv-00810-JF

ORDER

AND NOW, this 9th day of November 2010, upon consideration of Defendants' Motion to Dismiss, converted to a motion for summary judgment, and the response thereto, IT is ORDERED:

That the Motion is GRANTED for the reasons stated in the accompanying memorandum. The Complaint is DISMISSED. The Clerk is directed to mark the case-file CLOSED.

BY THE COURT:

/s/ John P. Fullam
John P. Fullam, Sr. J.